

DUNCAN MILLER

IBLA 75-525

Decided June 17, 1975

Appeal from New Mexico State Office, BLM, decision rejecting oil and gas lease offer NM-A-19921.

Affirmed as modified.

1. Oil and Gas Leases: Acquired Land Leases -- Oil and Gas Leases:
Applications: Generally

An oil and gas lease offer for acquired lands will be rejected unless all the copies of the application required by the regulation, 43 CFR 3111.1-2, are signed.

APPEARANCES: Duncan Miller, pro se.

OPINION BY ADMINISTRATIVE JUDGE HENRIQUES

This is an appeal from a decision of the New Mexico State Office, Bureau of Land Management, rejecting oil and gas lease offer for acquired lands, NM-A-19921, because lands applied for were either in a prior issued lease or in a known geologic structure (KGS) of a producing oil and gas field and subject to competitive leasing only.

The reasons assigned for rejection are correct. However, it will not be necessary to discuss further the stated reasons for rejection or the arguments presented by appellant in his statement of reasons as the lease offer is otherwise fatally defective.

43 CFR 3111.1-2 requires an applicant to file seven copies of an acquired lands lease application. In the instant case, appellant filed seven copies two of which were signed in ink, four were carbon copies of the ink signatures -- but the seventh copy was not signed in any fashion. Thus appellant filed only six copies. Having failed to comply with the pertinent regulation his application must be rejected for that reason alone. Duncan Miller, 10 IBLA 208 (1973); Duncan Miller, 7 IBLA 169 (1972); Senemex, Inc., A-29271 (1963).

Therefore, pursuant to the authority delegated by the Secretary to the Board of Land Appeals, 43 CFR 4.1, the decision below is affirmed as modified.

Douglas E. Henriques
Administrative Judge

We concur:

Frederick Fishman
Administrative Judge

Edward W. Stuebing
Administrative Judge

